UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/651,293 | 08/30/2000 | KENTARO MATSUMOTO | 862.C1992 | 2585 |

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| 5514 7590 04/12/2004 | | EXAMINER | |
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| NEW YORK, NY 10112 | | ART UNIT | PAPER NUMBER |
| | | 2177 | 15 |

DATE MAILED: 04/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| **Office Action Summary** | Application No. | Applicant(s) |
|---|---|---|
| | 09/651,293 | MATSUMOTO ET AL. |
| | Examiner | Art Unit | |
| | Mohammad Ali | 2177 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *26 February 2004*.

2a)☐ This action is **FINAL.**        2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-59* is/are pending in the application.

⠀⠀⠀4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

⠀⠀⠀Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

⠀⠀⠀Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

⠀⠀⠀a)☐ All⠀b)☐ Some * c)☐ None of:

⠀⠀⠀⠀⠀1.☐ Certified copies of the priority documents have been received.

⠀⠀⠀⠀⠀2.☐ Certified copies of the priority documents have been received in Application No. _____.

⠀⠀⠀⠀⠀3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

⠀⠀⠀* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
⠀⠀⠀Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
⠀⠀⠀Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

## DETAILED ACTION

1.  This communication is in response to the RCE filed on February 26, 2004.

Claims 1-59 are pending in this Office Action.

### *Claim Rejections - 35 USC § 102*

2.  The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b).  Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.  Claims 1-2, 9-12, and 19-21 are rejected under 35 U.S.C. 102(e) as being

anticipate by Vermeire et al. ('Vermeire', hereinafter), US Patent 6,209,124 B1.

As to claim 1, Vermeire discloses a recording apparatus for attaching, to binary

data, meta-data as information related to the binary data, characterized (col. 5, lines 3-

5). Vermeire teaches 'meta-data generation means for generating the, meta-data' as

metadata with XML representation or the binary data values to generate binary data for

use with a host system or XML representation for use in mark-up language applications

(col. 5, lines 3-7). Further, Vermeire teaches, 'binary data generation means for

generating the binary data to which the meta-data is to be attached' as metadata with

XML representation or the binary data values to generate binary data for use with a host

system or XML representation for use in mark-up language applications (col. 5, lines 3-

7). Finally, Vermeire teaches, 'meta-data attaching means for attaching the meta-data to

a plurality of binary data generated by said binary data generation means and including

said group' as metadata with XML representation or the binary data values to generate

binary data for use with a host system or XML representation for use in mark-up

language applications. Data structures involved (attached) in the host machine and

application programs. Binary data streams received from the host into XML documents

and to restructure XML documents into binary data streams capable of acting with host

machine and its program applications (col. 5, lines 3-17).

As to claim 2, Vermeire teaches, 'characterized by further comprising storage

means for storing the binary data having meta-data outputed by said meta-data

attaching means' as host machine characteristics into a system of metadata which

allows the reconstruction of requests and results into and out of mark-up languages

binary data streams (Abstract, lines 4-7).

As to claim 9, Vermeire teaches, 'characterized in that said meta-data attaching

means embeds the meta-data to a predetermined position of the binary data' as

determined the host machine and programming architecture and host data structure

(col. 5, lines 55-62).

As to claim 10, Vermeire teaches, 'characterized in that said meta-data attaching

means attaches only information representing a file name of the meta-data or a location

of the meta-data to a predetermined position of the binary data' as determined the host

machine and programming architecture and host data structure (col. 5, lines 55-62).

As to claim 11, Vermeire discloses, a recording method of attaching, to binary

data, meta-data as information related to the binary data, characterized (col. 5, lines 3-

5). Vermeire teaches 'meta-data generation means for generating the, meta-data' as

metadata with XML representation or the binary data values to generate binary data for

use with a host system or XML representation for use in mark-up language applications

(col. 5, lines 3-7). Further, Vermeire teaches, 'binary data generation means for

generating the binary data to which the meta-data is to be attached' as metadata with

XML representation or the binary data values to generate binary data for use with a host

system or XML representation for use in mark-up language applications (col. 5, lines 3-

7). Finally, Vermeire teaches, 'meta-data attaching means for attaching the meta-data to

a plurality of binary data generated by said binary data generation means and including

said group' as metadata with XML representation or the binary data values to generate

binary data for use with a host system or XML representation for use in mark-up

language applications. Data structures involved (attached) in the host machine and

application programs. Binary data streams received from the host into XML documents

and to restructure XML documents into binary data streams capable of acting with host

machine and its program applications (col. 5, lines 3-17).

As to claim 12, Vermeire teaches, 'characterized by further comprising the

storage step of storing the binary data having meta-data outputed by themeta-data

attaching step' as host machine characteristics into a system of metadata which allows

the reconstruction of requests and results into and out of mark-up languages binary

data streams (Abstract, lines 4-7).

As to claim 19, Vermeire teaches, 'characterized in that the meta-data attaching

step comprises embedding the meta-data to a predetermined position of the binary

data' as determined the host machine and programming architecture and host data

structure (col. 5, lines 55-62).

As to claim 20, Vermeire teaches, 'characterized in that the meta-data attaching

step comprises attaching only information representing a file name of the meta-data or a

location of the meta-data to a predetermined position of the binary data' as determined

the host machine and programming architecture and host data structure (col. 5, lines

55-62).

As to claim 21, Vermeire discloses a storage medium which stores a processing

program for attaching, to binary data, meta-data as information related to the binary

data (col. 5, lines 3-5). Vermeire teaches 'meta-data generation means for generating

the, meta-data' as metadata with XML representation or the binary data values to

generate binary data for use with a host system or XML representation for use in mark-

up language applications (col. 5, lines 3-7). Further, Vermeire teaches, 'binary data

generation means for generating the binary data to which the meta-data is to be

attached' as metadata with XML representation or the binary data values to generate

binary data for use with a host system or XML representation for use in mark-up

language applications (col. 5, lines 3-7). Finally, Vermeire teaches, 'meta-data attaching

means for attaching the meta-data to a plurality of binary data generated by said binary

data generation means and including said group' as metadata with XML representation

or the binary data values to generate binary data for use with a host system or XML

representation for use in mark-up language applications. Data structures involved

(attached) in the host machine and application programs. Binary data streams received

from the host into XML documents and to restructure XML documents into binary data

streams capable of acting with host machine and its program applications (col. 5, lines

3-17).

### Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   Claims 3-8 and 13-18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Vermeire et al., ('Vermeire', hereinafter), US Patent 6,209,124 as

applied to claims 1-2, 9-12, 19-20 in view of Leigh Klotz Jr. , ('Klotz', hereinafter), US

Patent 5,459,307.

As to claim 3, Vermeire teaches, 'characterized by further comprising binary data

having meta-data write means for writing the binary data having meta-data outputed by

said meta-data attaching means in a detachable storage' as binary data from a host into

a user XML application and write XML documents in the opposite side of intermediary

host application to read and write binary records (col. 6, lines 10-16). Vermeire does not

disclose the external device or storage medium as depicted in figure 1 of the present

invention. However, Klotz discloses an analogous system attaching with data wherein

interprets the aggregate data of the storage sheet or sheets to be files stored on a

removable external device where the information is associated (col. 6, lines 32-34). It

would have been obvious to one ordinary skill in the art at of data generating, at the

time of the present invention, to combine the teachings of the cited references because

the external device or storage medium of Klotz's system would provide

Vermeire's with necessary infrastructure, which would allow it to store data in the

external device or storage medium for future retrieval, as explained in Klotz, col. 6, lines

32-34 et seq.

As to claim 4, Vermeire teaches, 'characterized by further comprising binary data

having meta-data write means for writing the binary data having meta-data stored in

said storage means in a detachable storage' as binary data from a host into a user XML

application and write XML documents in the opposite side of intermediary host

application to read and write binary records (col. 6, lines 10-16). Vermeire does not

disclose the external device or storage medium as depicted in figure 1 of the present

invention. However, Klotz discloses an analogous system attaching with data wherein

interprets the aggregate data of the storage sheet or sheets to be files stored on a

removable external device where the information is associated (col. 6, lines 32-34). It

would have been obvious to one ordinary skill in the art at of data generating, at the

time of the present invention, to combine the teachings of the cited references because

the external device or storage medium of Klotz's system would provide Vermeire's with

necessary infrastructure, which would allow it to store data in the external device or

storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 5, Vermeire teaches, 'characterized in that said apparatus further

comprises meta-data loading means for loading meta-data stored in advance in a

detachable storage, and said meta-data attaching means attaches the meta-data

loaded by said meta-data loading means to the binary data to generate the binary data

having meta-data' as the language used in the applications program resident (attach) on

host is identified fro MPADS. MPADS then loads the language-specific parser for the

identified language (col. 17, lines 16-18). Vermeire does not disclose the external

device or storage medium as depicted in figure 1 of the present invention. However,

Klotz discloses an analogous system attaching with data wherein interprets the

aggregate data of the storage sheet or sheets to be files stored on a removable external

device where the information is associated (col. 6, lines 32-34). It would have been

obvious to one ordinary skill in the art at of data generating, at the time of the present

invention, to combine the teachings of the cited references because the external device

or storage medium of Klotz's system would provide Vermeire's with necessary

infrastructure, which would allow it to store data in the external device or storage

medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 6, Vermeire disclosed, 'characterized in that said apparatus further

comprises binary data loading means for loading binary data stored in a first detachable

storage, and said meta-data attaching means attaches the meta-data to the binary data

loaded by said binary data loading means to generate the binary data having meta-data'

as the language used in the applications program resident (attach) on host is identified

fro MPADS. MPADS then loads the language-specific parser for the identified language

(col. 17, lines 16-18). Vermeire does not disclose the external device or storage medium

as depicted in figure 1 of the present invention. However, Klotz discloses an analogous

system attaching with data wherein interprets the aggregate data of the storage sheet or

sheets to be files stored on a removable external device where the information is

associated (col. 6, lines 32-34). It would have been obvious to one ordinary skill in the

art at of data generating, at the time of the present invention, to combine the teachings

of the cited references because the external device or storage medium of Klotz's

system would provide Vermeire's with necessary infrastructure, which would allow it to

store data in the external device or storage medium for future retrieval, as explained in

Klotz, col. 6, lines 32-34 et seq.

As to claim 7, Vermeire teaches, 'characterized by further comprising binary-data

having meta-data write means for writing the binary data having meta-data outputed by

said meta-data attaching means in the first storage medium as a loading source of the

binary data' as binary data from a host into a user XML application and write XML

documents in the opposite side of intermediary host application to read and write binary

records (col. 6, lines 10-16). Vermeire does not disclose the external device or storage

medium as depicted in figure 1 of the present invention. However, Klotz discloses an

analogous system attaching with data wherein interprets the aggregate data of the

storage sheet or sheets to be files stored on a removable external device where the

information is associated (col. 6, lines 32-34). It would have been obvious to one

ordinary skill in the art at of data generating, at the time of the present invention, to

combine the teachings of the cited references because the external device or storage

medium of Klotz's system would provide Vermeire's with necessary infrastructure, which

would allow it to store data in the external device or storage medium for future retrieval,

as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 8, Vermeire teaches, 'characterized by further comprising binary-data

having meta-data write means for writing the binary data having meta-data stored in

said storage means in the first storage medium as a loading source of the binary data'

as the language used in the applications program resident (attach) on host is identified

fro MPADS. MPADS then loads the language-specific parser for the identified language

(col. 17, lines 16-18). Vermeire does not disclose the external device or storage medium

as depicted in figure 1 of the present invention. However, Klotz discloses an analogous

system attaching with data wherein interprets the aggregate data of the storage sheet or

sheets to be files stored on a removable external device where the information is

associated (col. 6, lines 32-34). It would have been obvious to one ordinary skill in the

art at of data generating, at the time of the present invention, to combine the teachings

of the cited references because the external device or storage medium of Klotz's

system would provide Vermeire's with necessary infrastructure, which would allow it to

store data in the external device or storage medium for future retrieval, as explained in

Klotz, col. 6, lines 32-34 et seq.

As to claim 13, Vermeire teaches, 'characterized by further comprising the binary

data having meta-data write step of writing the binary data having meta-data outputed

by the meta-data attaching step in a detachable storage' as binary data from a host into

a user XML application and write XML documents in the opposite side of intermediary

host application to read and write binary records (col. 6, lines 10-16). Vermeire does not

disclose the external device or storage medium as depicted in figure 1 of the present

invention. However, Klotz discloses an analogous system attaching with data wherein

interprets the aggregate data of the storage sheet or sheets to be files stored on a

removable external device where the information is associated (col. 6, lines 32-34). It

would have been obvious to one ordinary skill in the art at of data generating, at the
time of the present invention, to combine the teachings of the cited references because
the external device or storage medium of Klotz's system would provide Vermeire's with
necessary infrastructure, which would allow it to store data in the external device or
storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 14, Vermeire teaches, 'characterized by further comprising the
binary data having meta-data write step of writing the binary data having meta-data
stored in the storage step in a detachable storage' as binary data from a host into a user
XML application and write XML documents in the opposite side of intermediary host
application to read and write binary records (col. 6, lines 10-16). Vermeire does not
disclose the external device or storage medium as depicted in figure 1 of the present
invention. However, Klotz discloses an analogous system attaching with data wherein
interprets the aggregate data of the storage sheet or sheets to be files stored on a
removable external device where the information is associated (col. 6, lines 32-34). It
would have been obvious to one ordinary skill in the art at of data generating, at the
time of the present invention, to combine the teachings of the cited references because
the external device or storage medium of Klotz's system would provide Vermeire's with
necessary infrastructure, which would allow it to store data in the external device or
storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 15, Vermeire teaches, 'characterized in that said recording method
further comprises the meta-data loading step of loading meta-data stored in advance in
a detachable storage, and the meta-data attaching step comprises attaching the

meta-data loaded in the meta-data loading step to the binary data to generate the binary

data having meta-data' as the language used in the applications program resident

(attach) on host is identified fro MPADS. MPADS then loads the language-specific

parser for the identified language (col. 17, lines 16-18). Vermeire does not disclose the

external device or storage medium as depicted in figure 1 of the present invention.

However, Klotz discloses an analogous system attaching with data wherein interprets

the aggregate data of the storage sheet or sheets to be files stored on a removable

external device where the information is associated (col. 6, lines 32-34). It would have

been obvious to one ordinary skill in the art at of data generating, at the time of the

present invention, to combine the teachings of the cited references because the

external device or storage medium of Klotz's system would provide Vermeire's with

necessary infrastructure, which would allow it to store data in the external device or

storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 16, Vermeire teaches, ' characterized in that the recording method

further comprises binary data loading step of loading the binary data stored in a first

detachable storage, and the meta-data attaching step comprises attaching the

meta-data to the binary data loaded in the binary data loading step to generate the

binary data having meta-data' as the language used in the applications program

resident (attach) on host is identified fro MPADS. MPADS then loads the language-

specific parser for the identified language (col. 17, lines 16-18). Vermeire does not

disclose the external device or storage medium as depicted in figure 1 of the present

invention. However, Klotz discloses an analogous system attaching with data wherein

interprets the aggregate data of the storage sheet or sheets to be files stored on a removable external device where the information is associated (col. 6, lines 32-34). It would have been obvious to one ordinary skill in the art at of data generating, at the time of the present invention, to combine the teachings of the cited references because the external device or storage medium of Klotz's system would provide Vermeire's with necessary infrastructure, which would allow it to store data in the external device or storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 17, Vermeire teaches, 'characterized by further comprising the binary-data having meta-data write step of writing the binary data having meta-data outputed by the meta-data attaching step in the first detachable storage medium as a loading source of the binary data' as binary data from a host into a user XML application and write XML documents in the opposite side of intermediary host application to read and write binary records (col. 6, lines 10-16). Vermeire does not disclose the external device or storage medium as depicted in figure 1 of the present invention. However, Klotz discloses an analogous system attaching with data wherein interprets the aggregate data of the storage sheet or sheets to be files stored on a removable external device where the information is associated (col. 6, lines 32-34). It would have been obvious to one ordinary skill in the art at of data generating, at the time of the present invention, to combine the teachings of the cited references because the external device or storage medium of Klotz's system would provide Vermeire's with necessary infrastructure, which would allow it to store data in the external device or storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 18, Vermeire teaches, 'characterized by further comprising the

binary-data having meta-data write step of writing the binary data having meta-data

stored in the storage step in the first detachable storage medium as a loading source of

the binary data' as the language used in the applications program resident (attach) on

host is identified fro MPADS. MPADS then loads the language-specific parser for the

identified language (col. 17, lines 16-18). Vermeire does not disclose the external

device or storage medium as depicted in figure 1 of the present invention. However,

Klotz discloses an analogous system attaching with data wherein interprets the

aggregate data of the storage sheet or sheets to be files stored on a removable external

device where the information is associated (col. 6, lines 32-34). It would have been

obvious to one ordinary skill in the art at of data generating, at the time of the present

invention, to combine the teachings of the cited references because the external device

or storage medium of Klotz's system would provide Vermeire's with necessary

infrastructure, which would allow it to store data in the external device or storage

medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.


6.   Claims 22-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Vermeire et al., ('Vermeire', hereinafter), US Patent 6,209,124 B1 in view of Leigh Klotz

Jr. , ('Klotz', hereinafter), US Patent 5,459,307.


As to claim 22, Vermiere discloses a recording apparatus for attaching, to binary

data, meta-data as information related to the binary data, characterized (col. 5, lines 3-

7). Vermeire teaches, 'meta-data generation means for generating the meta-data' as

metadata with XML representation or the binary data values to generate binary data for

use with a host system or XML representation for use in mark-up language applications

(col. 5, lines 3-7). Further Vermeire teaches, 'binary data loading means for loading the

binary data to which the meta-data is to be attached from a first detachable storage' as

metadata with XML representation or the binary data values to generate binary data for

use with a host system or XML representation for use in mark-up language applications

(col. 5, lines 3-7). Finally, Vermiere teaches, 'meta-data attaching means for attaching

the same meta-data to a plurality of binary data loaded by said binary data loading

means and including said group' as metadata with XML representation or the binary

data values to generate binary data for use with a host system or XML representation

for use in mark-up language applications. Data structures involved (attached) in the host

machine and application programs. Binary data streams received from the host into

XML documents and to restructure XML documents into binary data streams capable of

acting with host machine and its program applications (col. 5, lines 3-17). Vermeire

does not disclose the external device or storage medium as depicted in figure 1 of the

present invention. However, Klotz discloses an analogous system attaching with data

wherein interprets the aggregate data of the storage sheet or sheets to be files stored

on a removable external device where the information is associated (col. 6, lines 32-34).

It would have been obvious to one ordinary skill in the art at of data generating, at the

time of the present invention, to combine the teachings of the cited references because

the external device or storage medium of Klotz's system would provide Vermeire's with

necessary infrastructure, which would allow it to store data in the external device or storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 23, Vermeire teaches, 'characterized by further comprising storage means for storing the binary data having meta-data outputted by said meta-data attaching means' as host machine characteristics into a system of metadata which allows the reconstruction of requests and results into and out of mark-up languages binary data streams (Abstract, lines 4-7).

As to claim 24, Vermeire teaches, 'characterized by further comprising binary data having meta-data write means for writing the binary data having meta-data output from said meta-data attaching means in the first detachable storage as a loading source of the binary data' as binary data from a host into a user XML application and write XML documents in the opposite side of intermediary host application to read and write binary records (col. 6, lines 10-16).

As to claim 25, Vermeire teaches, 'characterized by further comprising binary data having meta-data write means for writing the binary data having meta-data output from said meta-data attaching means in a second detachable storage different from a loading source of the binary data' as binary data from a host into a user XML application and write XML documents in the opposite side of intermediary host application to read and write binary records (col. 6, lines 10-16).

As to claim 26, Vermeire teaches, 'characterized by further comprising binary data having meta-data write means for writing the binary data having meta-data stored in said storage means in the first storage medium as a loading source of the binary

data' as the language used in the applications program resident (attach) on host is

identified fro MPADS. MPADS then loads the language-specific parser for the identified

language (col. 17, lines 16-18).

As to claim 27, Vermeire teaches, 'characterized by further comprising binary

data having meta-data write means for writing the binary data having meta-data stored

in said storage means in a second detachable storage different from a loading source of

the binary data' as the language used in the applications program resident (attach) on

host is identified fro MPADS. MPADS then loads the language-specific parser for the

identified language (col. 17, lines 16-18).

As to claim 28, Vermeire teaches, 'characterized in that said recording apparatus

further comprises loading means for loading meta-data stored, in advance, in a

detachable storage, and said meta-data attaching means attaches the meta-data

loaded by said meta-data loading means to the binary data' as the language used in the

applications program resident (attach) on host is identified fro MPADS. MPADS then

loads the language-specific parser for the identified language (col. 17, lines 16-18).

As to claim 29, Vermeire teaches, 'characterized in that said meta-data attaching

means embeds the meta-data to a predetermined position of the binary data' as

determined the host machine and programming architecture and host data structure

(col. 5, lines 55-62).

As to claim 30, Vermeire teaches, 'characterized in that said meta-data attaching

means attaches only information representing a file name of the meta-data or a location

of the meta-data to a predetermined position of the binary data' as determined the host

machine and programming architecture and host data structure (col. 5, lines 55-62).

As to claim 31, Vermeire discloses a recording method of attaching, to

binary data, meta-data as information related to the binary data, characterized (col. 5,

lines 3-7). Vermeire teaches, 'meta-data generation means for generating the

meta-data' as metadata with XML representation or the binary data values to generate

binary data for use with a host system or XML representation for use in mark-up

language applications (col. 5, lines 3-7). Further, Vermeire teaches, 'binary data loading

means for loading the binary data to which the meta-data is to be attached from a first

detachable storage' as metadata with XML representation or the binary data values to

generate binary data for use with a host system or XML representation for use in mark-

up language applications (col. 5, lines 3-7). Finally, Vermiere teaches, 'meta-data

attaching means for attaching the same meta-data to a plurality of binary data loaded by

said binary data loading means to generate binary data having meta-data' as metadata

with XML representation or the binary data values to generate binary data for use with a

host system or XML representation for use in mark-up language applications. Data

structures involved (attached) in the host machine and application programs. Binary

data streams received from the host into XML documents and to restructure XML

documents into binary data streams capable of acting with host machine and its

program applications (col. 5, lines 3-17). Vermeire does not disclose the external device

or storage medium as depicted in figure 1 of the present invention. However, Klotz

discloses an analogous system attaching with data wherein interprets the aggregate

data of the storage sheet or sheets to be files stored on a removable external device

where the information is associated (col. 6, lines 32-34). It would have been obvious to

one ordinary skill in the art at of data generating, at the time of the present invention, to

combine the teachings of the cited references because the external device or storage

medium of Klotz's system would provide Vermeire's with necessary infrastructure, which

would allow it to store data in the external device or storage medium for future retrieval,

as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 32, Vermeire teaches, 'characterized by further comprising a storage

step of storing the binary data having meta-data output in the meta-data attaching step'

as host machine characteristics into a system of metadata which allows the

reconstruction of requests and results into and out of mark-up languages binary data

streams (Abstract, lines 4-7).

As to claim 33, Vermeire teaches, 'characterized by further comprising a

binary-data having meta-data write step of writing a binary data having meta-data

outputed by the meta-data attaching step in the first storage medium as a loading

source of the binary data' as binary data from a host into a user XML application and

write XML documents in the opposite side of intermediary host application to read and

write binary records (col. 6, lines 10-16).

As to claim 34, Vermeire teaches, 'characterized by further comprising the

binary-data having meta-data write step of writing the binary data having meta-data

outputed by the meta-data attaching step in a second detachable storage different from

a loading source of the binary data' as binary data from a host into a user XML

application and write XML documents in the opposite side of intermediary host

application to read and write binary records (col. 6, lines 10-16).

As to claim 35, Vermeire teaches, 'characterized by further comprising the binary

data having meta-data write step of writing the binary data having meta-data stored in

the storage step in the first detachable storage mediumas a loading source of the binary

data' as binary data from a host into a user XML application and write XML documents

in the opposite side of intermediary host application to read and write binary records

(col. 6, lines 10-16).

As to claim 36, Vermeire teaches, 'characterized by further comprising binary

data having meta-data write step of writing the binary data having meta-data stored in

the storage step in a second detachable storage different from a loading source of the

binary data' as the language used in the applications program resident (attach) on host

is identified fro MPADS. MPADS then loads the language-specific parser for the

identified language (col. 17, lines 16-18 et seq).

As to claim 37, Vermeire teaches, 'characterized in that the recording method

further comprises a loading step of loading meta-data stored, in advance, in a

detachable storage, and the meta-data attaching step comprises attaching the

meta-data loaded in the meta-data loading step to the binary data' as the language

used in the applications program resident (attach) on host is identified fro MPADS.

MPADS then loads the language-specific parser for the identified language (col. 17,

lines 16-18).

As to claim 38, Vermeire teaches, 'characterized in that the meta-data attaching step comprises embedding the meta-data to a predetermined position of the binary data' as determined the host machine and programming architecture and host data structure (col. 5, lines 55-62).

As to claim 39, Vermeire teaches, 'characterized in that the meta-data attaching step comprises attaching only information representing a file name of the meta-data or a location of the meta-data to a predetermined position of the binary data' as determined the host machine and programming architecture and host data structure (col. 5, lines 55-62).

As to claim 40, Vermeire discloses a storage medium which stores a processing program for attaching, to binary data, meta-data as information related to the binary data processing program (col. 5, lines 3-7). Vermeire teaches, 'meta-data generation means for generating the meta-data' as metadata with XML representation or the binary data values to generate binary data for use with a host system or XML representation for use in mark-up language applications (col. 5, lines 3-7). Further Vermeire teaches, 'binary data loading means for loading the binary data to which the meta-data is to be attached from a first detachable storage' as metadata with XML representation or the binary data values to generate binary data for use with a host system or XML representation for use in mark-up language applications (col. 5, lines 3-7). Finally, Vermiere teaches, 'a meta-data attaching step of attaching the same meta-data to a plurality of binary data loaded by said binary data loading means and including said group' as metadata with XML representation or the binary data values to generate

binary data for use with a host system or XML representation for use in mark-up

language applications. Data structures involved (attached) in the host machine and

application programs. Binary data streams received from the host into XML documents

and to restructure XML documents into binary data streams capable of acting with host

machine and its program applications (col. 5, lines 3-17). Vermeire does not disclose

the external device or storage medium as depicted in figure 1 of the present invention.

However, Klotz discloses an analogous system attaching with data wherein interprets

the aggregate data of the storage sheet or sheets to be files stored on a removable

external device where the information is associated (col. 6, lines 32-34). It would have

been obvious to one ordinary skill in the art at of data generating, at the time of the

present invention, to combine the teachings of the cited references because the

external device or storage medium of Klotz's system would provide Vermeire's with

necessary infrastructure, which would allow it to store data in the external device or

storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 41, Vermiere discloses a recording apparatus for attaching, to binary

data, meta-data as information related to the binary data, characterized (col. 5, lines 3-

7). Vermiere teaches, 'meta-data loading means for loading the meta-data from a first

detachable storage' as metadata with XML representation or the binary data values to

generate binary data for use with a host system or XML representation for use in mark-

up language applications (col. 5, lines 3-7). Further, Vermeire teaches, ' binary data

generation means for generating the binary data' as metadata with XML representation

or the binary data values to generate binary data for use with a host system or XML

representation for use in mark-up language applications (col. 5, lines 3-7). Finally,

Vermeire teaches, 'meta-data attaching means for attaching the same meta-data loaded

by said meta-data loading means to a plurality of binary data generated by said binary

data generation means and including said group' as metadata with XML representation

or the binary data values to generate binary data for use with a host system or XML

representation for use in mark-up language applications. Data structures involved

(attached) in the host machine and application programs. Binary data streams received

from the host into XML documents and to restructure XML documents into binary data

streams capable of acting with host machine and its program applications (col. 5, lines

3-17). Vermeire does not disclose the external device or storage medium as depicted in

figure 1 of the present invention. However, Klotz discloses an analogous system

attaching with data wherein interprets the aggregate data of the storage sheet or sheets

to be files stored on a removable external device where the information is associated

(col. 6, lines 32-34). It would have been obvious to one ordinary skill in the art at of data

generating, at the time of the present invention, to combine the teachings of the cited

references because the external device or storage medium of Klotz's system would

provide Vermeire's with necessary infrastructure, which would allow it to store data in

the external device or storage medium for future retrieval, as explained in Klotz, col. 6,

lines 32-34 et seq.

As to claim 42, Vermeire teaches, 'characterized by further comprising storage

means for storing the binary data having meta-data outputed by said meta-data

attaching means' as host machine characteristics into a system of metadata which

allows the reconstruction of requests and results into and out of mark-up languages

binary data streams (Abstract, lines 4-7).

As to claim 43, Vermeire teaches, 'characterized by further comprising binary

data having meta-data write means for writing the binary data having meta-data output

from said meta-data attaching means in the first storage as a loading source of the

meta-data' as the language used in the applications program resident (attach) on host is

identified fro MPADS. MPADS then loads the language-specific parser for the identified

language (col. 17, lines 16-18).

As to claim 44, Vermeire teaches, 'characterized by further comprising binary

data having meta-data write means for writing the binary data having meta-data

outputed by said meta-data attaching means in a second detachable storage different

from a loading source of the binary data' as binary data from a host into a user XML

application and write XML documents in the opposite side of intermediary host

application to read and write binary records (col. 6, lines 10-16).

As to claim 45, Vermeire teaches, 'characterized by further comprising

binary-data having meta-data write means for writing the binary data having meta-data

stored in said storage means in the first detachable storage medium as a loading

source of the meta-data' as binary data from a host into a user XML application and

write XML documents in the opposite side of intermediary host application to read and

write binary records (col. 6, lines 10-16).

As to claim 46, Vermeire teaches, 'characterized by further comprising binary

data having meta-data write means for writing the binary data having meta-data stored

in said storage means in a second detachable storage different from a loading source of

the meta-data' as binary data from a host into a user XML application and write XML

documents in the opposite side of intermediary host application to read and write binary

records (col. 6, lines 10-16).

As to claim 47, Vermeire teaches, 'characterized in that said apparatus further

comprises binary data loading means for loading binary data stored in advance in a

detachable storage, and said meta-data attaching means attaches the meta-data

loaded by said meta-data loading means to the binary data to generate the binary data

having meta-data' as the language used in the applications program resident (attach) on

host is identified fro MPADS. MPADS then loads the language-specific parser for the

identified language (col. 17, lines 16-18).

As to claim 48, Vermeire teaches, 'characterized in that said meta-data attaching

means embeds the meta-data to a predetermined position of the binary data' as

determined the host machine and programming architecture and host data structure

(col. 5, lines 55-62).

As to claim 49, Vermeire teaches, 'characterized in that said meta-data attaching

means attaches only information representing a file name of the meta-data or a location

of the meta-data to a predetermined position of the binary data' as determined the host

machine and programming architecture and host data structure (col. 5, lines 55-62).

As to claim 50, Vermeire discloses a recording method of attaching, to binary

data, meta-data as information related to the binary data, characterized (col. 5, lines 3-

7). Vermiere teaches, 'a meta-data loading step of loading the meta-data from a first

detachable storage' as metadata with XML representation or the binary data values to

generate binary data for use with a host system or XML representation for use in mark-

up language applications (col. 5, lines 3-7). Further, Vermeire teaches, 'a binary data

loading step of loading the binary data from the first detachable storage' as metadata

with XML representation or the binary data values to generate binary data for use with a

host system or XML representation for use in mark-up language applications (col. 5,

lines 3-7). Finally, Vermeire teaches, 'a meta-data attaching step of attaching the same

meta-data loaded in the meta-data loading step to a plurality of binary data loaded in the

binary data loading step to generate binary data having meta-data' as metadata with

XML representation or the binary data values to generate binary data for use with a host

system or XML representation for use in mark-up language applications. Data structures

involved (attached) in the host machine and application programs. Binary data streams

received from the host into XML documents and to restructure XML documents into

binary data streams capable of acting with host machine and its program applications

(col. 5, lines 3-17). Vermeire does not disclose the external device or storage medium

as depicted in figure 1 of the present invention. However, Klotz discloses an analogous

system attaching with data wherein interprets the aggregate data of the storage sheet or

sheets to be files stored on a removable external device where the information is

associated (col. 6, lines 32-34). It would have been obvious to one ordinary skill in the

art at of data generating, at the time of the present invention, to combine the teachings

of the cited references because the external device or storage medium of Klotz's

system would provide Vermeire's with necessary infrastructure, which would allow it to

store data in the external device or storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

As to claim 51, Vermeire teaches, 'characterized by further comprising the storage step of storing the binary data having meta-data outputed by the meta-data attaching step' as host machine characteristics into a system of metadata which allows the reconstruction of requests and results into and out of mark-up languages binary data streams (Abstract, lines 4-7).

As to claim 52, Vermeire teaches, 'characterized by further comprising the binary data having meta-data write step of writing the binary data having meta-data outputed by the meta-data attaching step in the first storage as a loading source of the binary data' as binary data from a host into a user XML application and write XML documents in the opposite side of intermediary host application to read and write binary records (col. 6, lines 10-16).

As to claim 53, Vermeire teaches, 'characterized by further comprising the binary data having meta-data write step of writing the binary data having meta-data outputed by the meta-data attaching step in a second detachable storage different from a loading source of the binary data' as binary data from a host into a user XML application and write XML documents in the opposite side of intermediary host application to read and write binary records (col. 6, lines 10-16).

As to claim 54, Vermeire teaches, 'characterized by further comprising the binary data having meta-data write step of writing the binary data having meta-data stored in the storage step in the first storage medium as a loading source of the binary data'.

As to claim 55, Vermeire teaches, 'characterized by further comprising the binary

data having meta-data write step of writing the binary data having meta-data stored in

the storage step in a second detachable storage different from a loading source of the

binary data' as binary data from a host into a user XML application and write XML

documents in the opposite side of intermediary host application to read and write binary

records (col. 6, lines 10-16).

As to claim 56, Vermeire teaches, 'characterized in that said method further

comprises the binary data loading step of loading binary data stored, in advance, in a

detachable storage, and the meta-data attaching step comprises attaching the

meta-data loaded in the meta-data loading step to the binary data to generate the binary

data having meta-data' as the language used in the applications program resident

(attach) on host is identified fro MPADS. MPADS then loads the language-specific

parser for the identified language (col. 17, lines 16-18).

As to claim 57, Vermeire teaches, 'characterized in that the meta-data attaching

step comprises embedding the meta-data to a predetermined position of the binary

data' as determined the host machine and programming architecture and host data

structure (col. 5, lines 55-62).

As to claim 58, Vermeire teaches, 'characterized in that the meta-data attaching

step comprises attaching only information representing a file name of the meta-data or a

location of the meta-data to a predetermined position of the binary data' as determined

the host machine and programming architecture and host data structure (col. 5, lines

55-62).

As to claim 59, Vermeire discloses a storage medium which stores a processing

program for attaching, to binary data, meta-data as information related to the binary

data processing program (col. 5, lines 3-7). Vermeire teaches, 'a meta-data loading step

of loading the meta-data from a first detachable storage' as metadata with XML

representation or the binary data values to generate binary data for use with a host

system or XML representation for use in mark-up language applications (col. 5, lines 3-

7). Further, Vermeire teaches, 'a binary data loading step of loading the binary data

from the first detachable storage' as metadata with XML representation or the binary

data values to generate binary data for use with a host system or XML representation

for use in mark-up language applications (col. 5, lines 3-7). Finally, Vermeire teaches, 'a

meta-data attaching step of attaching the same meta-data loaded in the meta-data

loading step to a plurality of binary data loaded in the binary data loading step to

generate binary data having meta-data' as metadata with XML representation or the

binary data values to generate binary data for use with a host system or XML

representation for use in mark-up language applications. Data structures involved

(attached) in the host machine and application programs. Binary data streams received

from the host into XML documents and to restructure XML documents into binary data

streams capable of acting with host machine and its program applications (col. 5, lines

3-17). Vermeire does not disclose the external device or storage medium as depicted in

figure 1 of the present invention. However, Klotz discloses an analogous system

attaching with data wherein interprets the aggregate data of the storage sheet or sheets

to be files stored on a removable external device where the information is associated

(col. 6, lines 32-34). It would have been obvious to one ordinary skill in the art at of data

generating, at the time of the present invention, to combine the teachings of the cited

references because the external device or storage medium of Klotz's system would

provide Vermeire's with necessary infrastructure, which would allow it to store data in

the external device or storage medium for future retrieval, as explained in Klotz, col. 6,

lines 32-34 et seq.

### *Remarks*

7. Applicants argues that Vermeire does not teach, 'automatically attaching the

same meta-data attaching generated by meta-data generation means to the plural sets

of binary data generated by said binary data generation means, the meta-data being

information identifying a group of plural sets of binary data'.

In response to Applicants arguments, the Examiner respectfully submits that

claims does not recite '**automatically attaching**'. Therefore, the applicant's allegations

are moot, since they are not supported in the claims. Rather, the claims calls 'meta-data

attaching means for attaching the same meta data-data generated by said meta-data

generation means to the plural sets of binary data generated by said binary data

generation means, the meta-data being information identifying a group of plural sets of

binary data' and Vermeire teaches this limitation as, a set of object classes that

collectively enable to process in memory the binary data from a host into a user XML

application and vice versa. The intermediary batch program will read a file of fixed-

format records and apply the intermediary to generate an XML file for export to an XML

based application. The intermediary runtime engine merges a binary stream of data with

information about the data and create a binary representation of the XML

communication to create a binary representation of the information suitable for direct

use by application running to the host, see col. 6, lines 9-48, Fig. 1 et seq.

Applicant's argue that Vermeire does not teach 'automatically attaching the same

meta-data identifying a group of plural sets of binary data to the plural sets of binary

data'. In response to Applicant's arguments the examiner respectfully submits that the

claim does not recite '**automatically attaching the same meta-data**'. Further, in

response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies (i.e.,

automatically attaching the same meta-data identifying a group of plural sets of binary

data to the plural sets of binary data)  are not recited in the rejected claim(s). Although

the claims are interpreted in light of the specification, limitations from the specification

are not read into the claims.  See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057

(Fed. Cir. 1993). Rather, claims calls 'meta-data generation means for generating meta-

data identifying a group of plural sets of binary data'. Therefore, the applicant's

arguments are moot, since they are not supported in the claims.

Applicant's argue that Klotz does not cures the deficiencies of Vermeire.

Vermeire does not explicitly indicate the claimed 'external device or storage

medium'. Klotz cures such deficiency by teaching attaching with data wherein interprets

the aggregate data of the storage sheet or sheets to be files stored on removable

external device where the information is associated, see col. 6, lines 32-34. It would

have been obvious to one ordinary skill in the art at of data generating, at the time of the

present invention, to combine the teachings of the cited references. The teachings of external device or storage medium of Klotz's would provide Vermeire's with necessary infrastructure, which would allow it to store data in the external device or storage medium for future retrieval, as explained in Klotz, col. 6, lines 32-34 et seq.

Applicant's argue that Vermeire and Klotz does not teach 'attaching the same meta-data generated by the meta-data generation means, the meta-data being information identifying a group of plural sets of binary data, to the plural sets of binary data'.

In response to Applicants arguments, the Examiner respectfully submits that Vermeire and Klotz teaches this limitation as stated above.

## Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Patent Examiner

AU 2177

MA

April 08, 2004